

UNITED STATES DISTRICT COURT  
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA

Plaintiff,

vs.

GARY FRANCIS DAY

Defendant.

8:25MJ216 (NE)  
4:25MJ00019 (AR)

Magistrate Judge Nelson

**RULE 5 ORDER**

An Indictment and Warrant (charging document) having been filed in the Eastern District of Arkansas, charging the above-named defendant with 18 U.S.C. 2423(a)(b) and the defendant having been arrested in the District of Nebraska, proceedings to commit defendant to another district were held in accordance with Fed.R.Cr.P. Rule 5. The defendant had an initial appearance here in accordance with Fed.R.Cr.P.5 and was informed of the provisions of Fed.R.Cr.P.20.

Additionally, defendant

- ☒ Waived an identity hearing and admitted that he/she was the person named in the aforementioned charging document.
- ☒ Waived his right to a preliminary examination.
- ☒ The government did move for detention.
- ☒ Knowingly and voluntarily waived a detention hearing in this district and reserved his/her right to a detention hearing in the charging district.

Accordingly, it is ordered that the defendant is held to answer in the prosecuting district.

- ☒ Defendant has been unable to obtain release under the Bail Reform Act of 1984, 18 U.S.C. § 3141 et.seq. and the U.S. Marshal is commanded to take custody of the above named defendant and to transport the defendant with a certified copy of this order forthwith to the prosecuting district specified above and there deliver the defendant to the U.S. Marshal for that district or to some other officer authorized to receive the defendant, all proceedings required by Fed.R.Cr.P.40 having been completed.

**IT IS SO ORDERED.**

DATED: April 4, 2025.

s/ Michael D. Nelson  
U.S. Magistrate Judge